



National Elevator Industry, Inc.

CODE & SAFETY OFFICE

4034 North Hampton Brook Drive • Hamburg, New York 14075 • 585.302.0813

Fax: 585.302.0841

WWW.NEII.ORG • E-Mail: info@neii.org

**COMMENTS ON THE
EXPRESS TERMS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF THE STATE FIRE MARSHAL
REGARDING THE 2010 CALIFORNIA BUILDING CODE
CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 2
April 12, 2011**

Submitted by:

Brian D. Black
Code and Safety Consultant
National Elevator Industry, Inc.
May 26, 2011

NEII ASSOCIATION HEADQUARTERS

1677 County Route 64 • P.O. Box 838 • Salem, New York 12865-0838 • 518.854.3100 Fax: 518-854-3257

The National Elevator Industry Inc. (NEII) is a national trade association representing the interest of firms that install, maintain and/or manufacture elevators, escalators, moving walks and other building transportation products. NEII appreciates the opportunity to comment on the California State Fire Marshal (SFM) Express Terms for proposed Building Standards of the State Fire Marshal Regarding the 2010 California Building Code, California Code of Regulations Title 24, Part 2 2010 Annual Rulemaking cycle, dated April 12, 2011.

Our review of those portions of the proposal that affect elevators has revealed a number of areas of major concern. If adopted, the proposed modifications will significantly de-harmonize California's regulations with national requirements based on the ICC *International Building Code* and the ASME A17.1/CSA B44 *Safety Code for Elevators and Escalators*. This will likely result in significant delays in elevator availability and will likely not achieve the stated reason "...to save thousands of dollars in elevator installation..." On the contrary, the effect will likely be the opposite and will make California less competitive *vis-à-vis* other states in the US and provinces of Canada. Most importantly, the proposed changes will not enhance safety.

NEII's specific concerns and comments are as follows:

1. Proposed Sections 3001.6 and 3001.7 require that elevator cables and belts, as well as equipment within and exposed to elevator hoistways "*shall be noncombustible or limited-combustible (Material) as defined in accordance with NFPA 13.*"
 - (a) The requirements listed in the note (NFPA 3.3.13) are for typical building materials, not elevator system components.
 - (b) There is no requirement in ASME A17.1/CSA B44 requiring equipment in hoistways other than car enclosures to have flame spread ratings.
 - (c) Elements of controllers, motors, drives, rollers, isolation pads, buffer strike pads, non-metallic sheave parts, car enclosure, etc. would be affected by this rule. This will result in significant redesign and qualification testing. It will not enhance safety, and would likely cost the state and its stakeholders many thousands of dollars extra per elevator.

NEII recommends the removal of sections 3001.6 and 3001.7 and the note regarding the definition of limited combustible material in NFPA 13, Section 3.3.13.

2. Proposed requirement 3006.4.1 states:

"3006.4.1 Automatic sprinkler system. Automatic sprinklers shall not be required to be installed in elevator machine rooms and machinery spaces where all the following are met:

1. Approved smoke detectors shall be installed in elevator machine rooms and machinery spaces and connected to the building fire alarm system in accordance with Section 907.

2. Activation of the smoke detectors located in the elevator machine room or machinery space shall cause the actuation of the building fire alarm notification appliances in accordance with 907.

3. Activation of any smoke detectors located in the elevator machine room or machinery space shall cause all elevators having any equipment located in that machine room to recall nonstop to the appropriate designated floor in accordance with CCR Title 8, Division 1, Chapter 4, Subchapter 6, Elevator Safety Orders.

4. Elevator machine rooms and machinery spaces shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 712, or both. The fire-resistance rating shall not be less than the required rating of the hoistway enclosure served by the machinery. Openings in the fire barriers shall be protected with assemblies having a fire protection rating not less than that required for the hoistway enclosure doors. The exceptions to Section 3006.4 shall not apply.

5. The building fire alarm system shall be monitored by an approved supervising station in accordance with 907.

6. An approved sign shall be permanently displayed in elevator machine rooms and machinery spaces in a conspicuous location with a minimum of 1½ inch letters on a contrasting background, stating:

NO COMBUSTIBLE STORAGE
PERMITTED IN THIS ROOM

By Order of the Fire Marshal [or name of fire authority]

There is an inconsistency in approach with reference to requirement 3006.4.1 *vis-à-vis* the proposed requirements 3001.6 and 3001.7. Requirement 3006.4.1 exempts machine rooms and machinery spaces from the need for permanently installed automatic sprinkler systems under certain conditions. Such conditions include a requirement for fire-rated enclosures with a rating of no less than that of the hoistway. There is no requirement for a flame spread rating on any of the equipment within the spaces covered by 3006.4.1. Conversely, the proposal would impose flame spread rating requirements for similar equipment in a fire-rated hoistway according to 3001.6 and 3001.7. No rationale has been provided for this inconsistency.

The elevator code and model building codes have traditionally treated the elevator machine, control and hoistway locations the same way. This proposal would de-harmonize those requirements in the state. Presently most new traction elevators are combining these areas within the hoistway.

NEII recommends expanding section 3006.4.1 to include all “machine rooms, machinery spaces, control rooms, control spaces and hoistways”. This will remove the inconsistency, accomplish the state’s goals as stated in the rationale, and increase safety in a cost effective manner.

Finally, an exception to NFPA 13 section 8.15.5.6 is required to not create a conflict with 3006.4.1 of the California Building Code.

As a trade association founded on the principle of providing safe building transportation for elevator riders and the general public, NEII shares the goal of the California State Fire Marshal for building codes and standards that ensure such safety. We thank the State Fire Marshall’s Office for its consideration of our comments and concerns in this rulemaking cycle and look forward to future discussion on these points.